

REMARKS

In the Office Action,¹ the Examiner objected to the specification because of an informality; rejected claims 1-12 under 35 U.S.C. § 112, second paragraph, as being indefinite; and rejected claims 1-12 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application No. 2003/0220995 to Hitaka et al. ("*Hitaka*"). By this Amendment, Applicants amend the specification; cancel claims 2 and 3 without prejudice; and amend claims 1 and 4-12.

Regarding the objection to the specification, Applicants have amended the paragraph containing the typographical error noted by the Examiner. Accordingly, Applicants respectfully request that the Examiner withdraw the objection to the specification.

Regarding the rejection of claims 1-12 under 35 U.S.C. § 112, second paragraph, as being indefinite, Applicants have amended claims 1, 6, 10, 11, and 12 to address the Examiner's concerns. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw this rejection.

Applicants respectfully traverse the rejection of claims 1-12 under 35 U.S.C. § 102(b) as being anticipated by *Hitaka*. Claims 2 and 3 have been canceled. Accordingly, the rejection of claims 2 and 3 is moot. *Hitaka* fails to teach or suggest each and every element of Applicants' claims.

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Claim 1, as amended, recites an information processing system comprising, among other things, “[a] second viewing apparatus compris[ing] acquiring means for acquiring, from [a] data storage apparatus, . . . thumbnail picture data associated with [a] thumbnail picture URL transmitted from [a] first viewing apparatus . . . to the second viewing apparatus.” *Hitaka* does not teach or suggest the acquiring means of claim 1.

The Examiner argues that claimed acquiring means is taught by *Hitaka*'s claim 24 and paragraph 0406, lines 6-10 of *Hitaka*. See Office Action, pages 5-6. Applicants respectfully disagree.

The claimed acquiring means involves data exchange among three apparatuses, namely, a data storage apparatus, a first viewing apparatus, and a second viewing apparatus. That is, when the thumbnail picture URL is transmitted from the first viewing apparatus to the second viewing apparatus, the second viewing apparatus acquires the associated thumbnail picture data from the data storage apparatus.

Although claim 24 of *Hitaka* discloses an acquisition step, *Hitaka* only discloses two information processing apparatuses and the acquisition step involves data exchange between only two devices.

Similarly, paragraph 0406 of *Hitaka* discloses means for acquiring image data, but the image data acquisition occurs between only two devices, namely, a first information processing apparatus (photo site) and a second information processing apparatus (print site). See *Hitaka*, paragraph 0406; see also *Hitaka*, abstract.

Therefore, *Hitaka* cannot be a teaching or suggestion of the acquisition means of claim 1. For at least this reason, *Hitaka* fails to anticipate independent claim 1. In addition, independent claims 6 and 10-12, although different in scope from claim 1,

distinguish over *Hitaka* for at least the reasons set forth above with respect to claim 1. Furthermore, dependent claims 4, 5, and 7-9 are allowable over *Hitaka* at least by virtue of their dependence from allowable base claims 1 and 6. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-12 under 35 U.S.C. § 102(b) as being anticipated by *Hitaka*.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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